

viduals, engaged in the business of public weighing for hire, or any person, firm, or corporation who shall weigh or measure any commodity, produce or article, and issue therefor a weight certificate or weight sheet, which shall be accepted as the accurate weight upon which the purchase or sale of such commodity, produce, or article is based, shall be known as a public weigher, and shall comply with the terms and provisions of this Act, provided the provisions of this section shall not apply to the owners, managers, agents or employees of any compress or any public or private warehouse in their operations as a warehouseman and provided further that this Act shall not apply in any manner to any Texas port.

SEC. 2. The fact that the present law is vague, uncertain and indefinite as to whether the owners, managers, agents or employees of public and private warehouses have the authority to issue a certificate or receipt which may be accepted as the accurate weight upon which the purchase or sale of commodities may be based, thereby resulting in much confusion, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days, and that this Act take effect from and after its passage, and it is so enacted.

[NOTE.—The Enrolled Bill shows that the foregoing Act passed the Senate. No vote given; and passed the House of Representatives. No vote given.]

[NOTE.—The foregoing Act was presented to the Governor of Texas for his approval on the 12th day of March, A. D. 1921, but was not signed by him nor returned to the house in which it originated, with his objections thereto, within the time prescribed by the Constitution, and thereupon became a law without his signature.—S. L. STAPLES, Secretary of State.]

Effective 90 days after adjournment.

**ZONES—AMENDING ACT CONFERRING POWERS ON CITIES
OF MORE THAN FIVE THOUSAND INHABITANTS
TO DIVIDE SUCH CITIES INTO.**

S. B. No. 312.]

CHAPTER 87.

An Act to amend Article 1096-D, Title 22, Chapter XVII (Acts 1913), relating to the Home Rule Act conferring powers on cities having more than five thousand inhabitants, and by adding thereto the hereinafter powers upon such cities, to regulate the location, size, height, bulk and use of buildings within certain zones or districts and to divide such cities into zones or districts and to prescribe building lines and to authorize the creation of a board of review or appeals as may be deemed advisable in any charter adopted by any such city under the Home Rule Provision of the Constitution, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Sec. 1. That Article 1096-D, Title 22, Chapter XVII, (Acts of

1913) Civil Statutes of the State of Texas, relating to the Home Rule of cities or towns having more than five thousand inhabitants be and the same is hereby amended by adding thereto the following powers, to-wit:

That for the purpose of promoting the public health, safety, order, convenience, prosperity and general welfare the governing authorities of cities or towns having more than five thousand inhabitants may provide that such cities and towns shall be divided into zones or districts, may regulate the location, size, height, bulk and use of buildings within such zones or districts, may establish building lines within such zones or districts or otherwise, and may make different regulations for different districts for any such city or town and may thereafter alter the same.

That the governing authorities of any such city or town may be authorized by their charter to create a Commission or Board for the purpose of carrying out the powers of this Act or may provide for the creation of a Board of Appeals on Review for the purpose of hearing and deciding on appeals from and reviewing any order, requirement, decision or determination of the governing authorities in carrying out the powers and authority conferred hereunder.

That the powers conferred by this Act may be adopted by any city having a population of five thousand or over, provided the authority and power herein conferred shall never be construed to be a limitation of the power and authority of any such city making or amending any charter under the provisions of the Home Rule Act.

SEC. 2. The fact that the legislative calendar is crowded and the necessity and importance of this measure, creates an emergency and an imperative public necessity, which requires that the Constitutional Rule requiring bills to be read on three several days, be suspended, and said rule is hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

[NOTE.—The Enrolled Bill shows that the foregoing Act passed the Senate, ayes, 24; nays, 0; and passed the House of Representatives, ayes, 96; nays, 14.]

[NOTE.—The foregoing Act was presented to the Governor of Texas for his approval on the 12th day of March, A. D. 1921, but was not signed by him nor returned to the house in which is originated with his objections thereto, within the time prescribed by the Constitution, and thereupon became a law without his signature.—S. L. STAPLES, Secretary of State.]

Effective, April 2, 1921.